



ORDINANCE

02-0-1731

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO CLEAN THE PREMISES AND CLOSE THE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON August 29, 2002

956	Beckwith Street, SW	04
909	Cherokee Avenue, SE	01
653	Clifton Road, SE	05
2	Felker Ward St., NW (aka 2 Pittman St.)	09

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on September 27, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, on September 27, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.



NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to clean the premises and close the various structures following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
956 Beckwith Street, SW	04
909 Cherokee Avenue, SE	01
653 Clifton Road, SE	05
2 Felker Ward St. NW (aka 2 Pittman St.)	09

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Clean the premises and board the structures(s) in conformity with the In Rem Review Board's Orders.
- (3) File a lien against the real property on which the structures(s) are attached for the cost incurred.
- (4) Maintain the property in conformity with the In Rem Review Board's Order until the structure(s) are repaired or demolished.

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

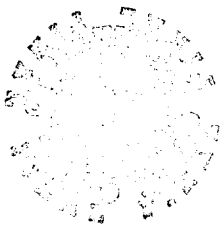
SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

NOV 04, 2002
NOV 08, 2002



TO WHOM IT MAY CONCERN: LIS PENDENS

Notice is hereby given that a complaint was filed by the City of Atlanta against:

**Kathryn Baker Kemp, Roosevelt C. Baker, Lilla E. Green, No. Admin. necessary
Roosevelt A. Baker, His Heirs and Assigns.**

on **8-9-02** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

all that tract or parcel of land—
lying and being in Land Lot 116 of the 14th District of Fulton County, Georgia, being
lot no. 10 in Block "A" of the Ware & Harper Subdivision, recorded in Plat Book 2,
page 193, Fulton County Records, and more particularly described as follows:

BEGINNING on the south side of Beckwith Street at a point three hundred fifty
(350) feet west of the Southwest corner of Beckwith Street and Ashby Street; running
thence West along the South side of Beckwith Street fifty (50) feet; thence South
one hundred (100) feet to a ten foot alley; thence East along said alley fifty (50)
feet; thence North one hundred (100) feet to Beckwith Street at the point of beginning
Having a house thereon known as No. 956 Beckwith Street S. W., according to the
present system of numbering of houses in the City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This
notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such
real property.

Dated: August 9, 2002

BY: Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195
BY: Bill Cartney
Assistant Real Estate City Attorney

RCS# 4171
11/04/02
2:41 PM

Atlanta City Council

Regular Session

MULTIPLE

02-O-1731 Clean & Close
02-O-1732 Demolish & Clean
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
NV Starnes	Y Fauver	Y Martin	B Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

MULTIPLE

02-0-1731

(Do Not Write Above This Line)

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04
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ADOPTED BY
NOV 0 4 2002
COUNCIL

- ☒ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 10/21/02

Referred To:
Community Development / Human Resources

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee
Date 09/14/02
Chair
Referred to 02/14/02

Committee
02/14/02

Date
Chair
Action:
Fav, Adv, Hold (see rev. side)
Other:

Members
Refer To

Committee
Date
Chair
Action:
Fav, Adv, Hold (see rev. side)
Other:

Members
Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

NOV 0 4 2002

CERTIFIED
NOV 0 4 2002

Rachel Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
NOV 0 8 2002
MAYOR